

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**Criminal Case No. 1:17-CR-71-01
(Honorable Irene M. Keeley)**

MEYLAN MONTALVO GOMEZ,

Defendant.

NOTICE OF APPEAL

Pursuant to Rule 4(b), Federal Rules of Appellate Procedure, the defendant, Meylan Montalvo Gomez, by counsel, hereby gives notice of the defendant's intent to appeal the sentence imposed by order of the United States District Court for the Northern District of West Virginia by order entered October 2, 2018, to the United States Court of Appeals for the Fourth Circuit Court of Appeals. The defendant will contend that the sentence was not reasonable under the factors of 18 U.S.C. §3553, and the Court's estimation of loss involved erroneous findings of fact and an improper application of the sentencing guidelines, particularly the application of §2B1.1, United States Sentencing Guidelines, and Application Note 3(F) to the calculation of loss.

The defendant, being without funds and previously having been deemed to be indigent under the provisions of the Criminal Justice Act, respectfully requests the appointment of counsel to prosecute this appeal.

This 16th day of October, 2018.

/s/ Thomas G. Dyer

Thomas G. Dyer, WVSB# 4579

Counsel for the defendant, Meylan Montalvo Gomez

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Defendant.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing “NOTICE OF APPEAL” was filed and served on the United States of America and all co-defendants’ counsel by filing electronically via CMECF on the 16th day of October, 2018.

/s/ Thomas G. Dyer
Thomas G. Dyer, WVSB# 4579
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